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DOCKET: CU-4079

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT: Kazuhiro Yagishita ) Group Art Unit: 1714  
SERIAL NO: 10/523,566 ) Examiner: James C. Goloboy  
FILED: February 3, 2005 ) 09/21/2007 PCHOMP 00000021 120400 10523566  
TITLE: LUBRICATING OIL COMPOSITION ) 01 FC:1814 130.00 DA

Mail Stop Amendment  
THE COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION  
OVER A PRIOR PATENT**

The owner, Nippon Oil Corporation, of 100% percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of copending Patent Application Nos. 11/048,573, 11/048,441, and 11/462,340. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent applications are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In the making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

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The Commissioner is authorized to charge our Deposit Account No. 12-0400 in the amount of \$130 to cover the fee for this terminal disclaimer, or for any required fees in excess of the amount submitted. The undersigned is an attorney or agent of record.

Respectfully submitted,

September 20, 2007

Date



Attorney for Applicant  
Brian W. Hameder  
c/o Ladas & Parry LLP  
224 South Michigan Avenue  
Chicago, Illinois 60604  
(312) 427-1300  
Reg. No. 45613

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